



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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Governor

Dee C. Hansen
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355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340

0006

February 8, 1991

Mr. Glen Zumwalt, Manager
Utah Fuel Company
P. O. Box 719
Helper, Utah 84526

Dear Mr. Zumwalt:

Re: Retraction of January 21, 1991 Approval, Mining Beneath
Stream Buffer Zone (Page 4-78), Utah Fuel Company, Skyline
Mine, ACT/007/005-90H, Folder #3, Carbon County, Utah

It has been brought to our attention that we have issued approval for the "Mining Beneath Stream Buffer Zone (Page 4-78)" amendment prematurely. The U. S. Forest Service did not have opportunity to review the amendment. This being the case, the Division hereby retracts the approval issued January 21, 1991 for amendment ACT/007/005-90H. We apologize for any inconvenience this may cause.

We are sure you realize the importance of allowing the Forest Service to comment. The Division is working closely with the Forest Service and mine personnel to work out a mutually acceptable solution to the problems associated with this amendment. Some of the Forest Service concerns are expressed in the attached letter.

At this time please provide the Division additional information which will address the above concerns. We will keep you informed of any other concerns brought up during the review of this amendment.

Again, we apologize for this mix-up. If you have any questions, please feel free to call me or David Darby, Geologist, at 538-5340.

Sincerely,

Daron R. Haddock
Permit Supervisor

DRH/mbm
Attachment

cc: D. Darby, DOGM
L. Braxton, DOGM
G. Morris, USFS

BT007005.90H

United States
Department of
Agriculture

Forest
Service

Manti-La Sal
National Forest

599 West Price River Dr.
Price, Utah 84501

Reply to: 2820

Date: February 6, 1991

Lowell Braxton
State of Utah Natural Resources
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

RE: Mining Beneath Stream Buffer Zone Amendment, Utah Fuel Company, Skyline
Mine ACT/007/005-90H, Folder #2, Carbon County, Utah

Dear Lowell:

We received a copy of this amendment with a letter from the Division of Oil, Gas and Mining (Division), dated January 31, 1991, stating that the amendment had been approved on January 22, 1991. The amendment proposes several changes to the existing Mining and Reclamation Plan which we have not had the opportunity to review prior to approval by the Division. We object to approval of the amendment by the Division without surface management agency (Forest Service) review and consent as required under the Federal Coal Leasing Amendments Act of 1975, the Federal Coal Lands Program (30 CFR 740). In addition, we specifically object to the following provisions of the approved amendment:

1. Page 4-77

In the third paragraph on this page it is stated that supportive mining is planned under the natural gas pipeline. This will involve a maximum coal extraction of 50% to prevent surface movement for a 50-foot width. This is consistent with provisions for protection of the pipeline in its original location, however, the pipeline has been relocated and provisions for its protection need to be re-evaluated by the Forest Service and Bureau of Land Management, as well as the Division. As the surface management agency and the permitting agency for the pipeline facility, the Forest Service must have the opportunity to consult with the pipeline permittee and the Bureau of Land Management to determine if the proposed mine plan amendment will provide the necessary level of protection.

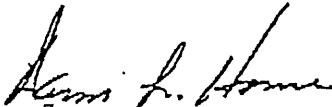
2. Page 7-78

The first paragraph on this page states that mains within the Huntington Creek buffer zone shown on Map 4.17.1-1 will be a full support room and pillar mining system. Several months ago we reviewed a proposal and geotechnical report which proposed to drive one main under the Huntington Creek buffer zone and to allow a portion of a longwall gate road to encroach into the buffer zone. After consultation with the Division it was determined that modifications to the proposal would be required before the proposal could be approved. As of the present time we have not consented to any mining under the buffer zone.

In the second paragraph it is stated that full support room and pillar mining under upper Huntington Creek, Bolger Creek, South Fork of Eccles Creek and Electric Lake buffer zones with pillars no smaller than 75 x 75 ft. and no more than five 20 feet wide entries will be allowed. We have not consented to any mining, including full support mining, under any of the stream buffer zones.

Without written notification from the surface management agency (Forest Service), approval of the subject amendment by the Division is not valid under the laws and regulations which govern the coal program. Approval of the amendment by the Division must, therefore, be retracted pending resolution of the above items and formal consent by the Forest Service.

Sincerely,


for
GEORGE A. MORRIS
Forest Supervisor

cc:
D-3
C. Reed
Gene Nodine
Richard Holbrook